

Applicant : Bradley et al.
Serial No. : 09/853,343
Filed : May 10, 2001
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Attorney's Doc. No.: 11635-005001 / OTA 00-43

REMARKS

Status of the Claims

Pending claims

Claims 1 to 83 as filed are pending.

The Restriction Requirement

The Patent Office has alleged that the pending claims of the application are directed to three separate and distinct inventions under 35 U.S.C. §121:

Group I: Claims 1 to 57 and 82 to 83, drawn to a modified biological molecule, an article comprising an array, a kit and a method of making a biological molecule and an article.

Group II: Claims 58 and 59 drawn to a method for identifying a specific binding partner.

Group III: Claims 60 to 81 drawn to a method of generating a molecular profile.

The Election

In response to the Restriction Requirement, Applicants elect Group I, claims 1 to 57 and 82 to 83, drawn to a modified biological molecule, an article comprising an array, a kit and a method of making a biological molecule and an article.

Rejoinder of methods claims

Applicants respectfully request that, after the elected product claims (an article comprising an array) have been found to be allowable, all withdrawn process claims (methods of Groups I and II) which depend from or otherwise include all of the limitations of the allowed product claims be rejoined. MPEP §821.04; pg 800-63, 8th Edition, August 2001; In re Ochiai, 37 USPQ2d 1127 (Fed. Cir. 1995); In re Brouwer, 37 USPQ2d 1663 (Fed. Cir. 1995); 1184 OG 86, 3/26/96.

Applicant believes that no fee is required for submission of this Response. However, if a fee is required, the Commissioner is authorized to deduct such fee from the

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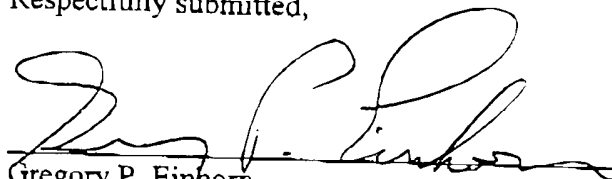
Attorney's Do No.: 11635-005001 / OTA 00-43

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858 678 5070.

Respectfully submitted,

Date:

Feb. 5, 2002



Gregory P. Einhorn
Reg. No. 38,440

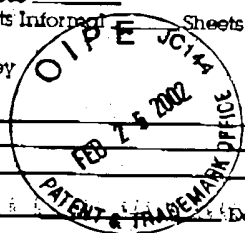
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10162584.doc

PATENT

ATTORNEY DOCKET NO. 11635-005001

The Patent and Trademark Office date stamp sets forth the date of receipt of:

Applicant or Patentee BRAOLLEY et al.No. (Application, Appeal, Interference, Patent, Reexam) 09/853,343Filing or Issue Date 5/10/01Title: Compositions and methods for heavy metal☒ Transmittal Letter (2 Copies) ☒ With Pet. for Ext.☐ Assignment ☐ Status Inquiry germic nucleic☒ Amendment/Response 3 Pages ☐ Declaration acid analysis☐ Maintenance Fee ☐ Request Certificate of Correction of biological☒ Check \$ 55 ☐ Notice of Appeal molecules☐ Deposit Account Order Form (2 Copies) ☐ Appeal Brief (3 Copies) _____ Pages☐ Issue Fee ☐ Request Patent Copies ☐ Petition for Extension Time☐ Information Disclosure Statement☐ PTO 1449 Form- _____ Pages☒ Prior Art References-Number of References _____☒ Drawings 5 Sheets Formal _____ Sheets Informal _____ Sheets Amended _____☐ Notice of Missing Parts☐ Combined Declaration and Power of Attorney☐ Small Entity Statement☐ Other _____Atty/Sec. GPEL Client/
Initials Jore Matter Name Baylor Date 2/7/02

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FISH & RICHARDSON, P.C.
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